

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Joint Committee on
Finance
(JC-Fi)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

- Appointments ... Appt
-
- Clearinghouse Rules ... CRule
-
- Committee Hearings ... CH
-
- Committee Reports ... CR
-
- Executive Sessions ... ES
-
- Hearing Records ... HR
-
- Miscellaneous ... Misc
- 97hr_JC-Fi_Misc_pt04g_DPR
-
- Record of Comm. Proceedings ... RCP
-

Joint Finance

16.515/16.505

14 Day Passive
Reviews

3/13/97 -

5/7/97

DA'S/DOC/BCPL

4/2/97

STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

LL1 119 Martin Luther King Blvd.
P.O. Box 7882
Madison, WI 53707-7882
Phone: 266-8535



DIRECTOR BOB LANG
JT FINANCE COMM.
LFB
301 E MAIN

Madison, WI 53706-0752
Phone: 264-6970

JOINT COMMITTEE ON FINANCE

May 2, 1997

Mr. Mark D. Bugher, Secretary
Department of Administration
101 East Wilson Street, 10th Floor
Madison, WI 53702

Dear Secretary Bugher:

In a letter to us dated April 15, 1997, you indicated that, in regard to action by the Committee on a s. 16.515 request for funds for the Board of Commissioners of Public Lands for the costs of certain structural and system repairs for the Board's offices, the Committee might wish to place the \$14,800 not approved by the Committee in unallotted reserve for later release.

In view of the concern you have raised regarding a possible need for funds in excess of the amount approved, the Committee would be willing to consider a supplemental s. 16.515 request from the Board in the event that it is determined that the actual costs of the project will exceed the \$70,200 approved by the Committee and that the Board has insufficient resources to cover any such additional costs.

A handwritten signature in black ink, appearing to read "Brian Burke".

BRIAN BURKE
Senate Chair

Sincerely,
A handwritten signature in black ink, appearing to read "Scott Jensen".

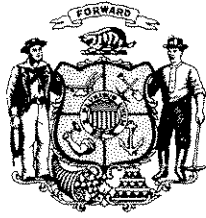
SCOTT JENSEN
Assembly Chair

BB/SJ/jc

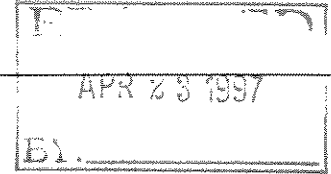
cc: Members, Joint Committee on Finance

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7864
Madison, WI 53707-7864



April 15, 1997

Senator Brian Burke
Senate Chair, Joint Committee on Finance
LL1 119 Martin Luther King Blvd.
Madison, WI 53707-7882

Representative Jensen
Assembly Chair, Joint Committee on Finance
315 North, State Capitol
P.O. Box 8952
Madison, WI 53708-8952

Dear Senator Burke and Representative Jensen:

In a letter dated February 21, 1997, the Board of Commissioners of Public Lands (BCPL) requested \$100,000 PR in FY97 to cover the costs associated with structural and system repairs in their on-site library. These modifications are necessary to replace the Board's failed over-head air conditioning system. In its current condition, the system is a constant threat to the irreplaceable records and original historical documents stored in BCPL's document room.

The Committee's recommendation was to fund \$85,200 of the Board's request. It was suggested that the remaining \$14,800 was not adequately justified. The \$100,000 as requested by the Board was based on estimates compiled by DOA, Division of Buildings and Police Services. These estimates are detailed in the attached table.

Buildings and Police Services believes that additional funds, beyond what was estimated in the engineering study commissioned by BCPL, will be necessary as the actual construction costs of the project will likely be more. This difference is due both to the nature of the project itself and the construction market in Madison which is currently over-extended. Buildings and Police Services predicts that this will be a difficult project to bid. There is a significant possibility that the costs of these repairs will exceed current budget authority.

As a compromise, the Committee may wish to consider placing the remainder of the Board's request (\$14,800) on unallotted reserve. These funds would be held from release unless it became apparent that the costs associated with this project will exceed the \$70,200 approved by the Committee.

Sincerely,


Mark D. Bugher
Secretary

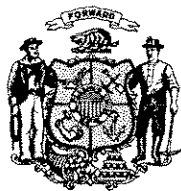
Table 1
 Cost Estimates for Replacing Public Lands Air Conditioning System

	Japal Engineering <u>November, 1996</u>	DOA B&PS Estimate for <u>June-1997</u>
1 General Construction	\$14,000	\$15,000
2 Lighting	1,600	2,000
3 Fire Protection	12,500	15,000
4 Plumbing	1,000	1,000
5 Security	-	2,500
6 Layout	-	-
7 HVAC	<u>22,500</u>	<u>25,000</u>
8 Subtotal	51,600	60,500
9 Contingency (10%)	5,160	6,000
10 Scope of Work Changes (10%)	5,160	6,000
11 Design & Supervision (16%)	<u>8,256</u>	<u>10,000</u>
12 Subtotal	70,176	82,500
13 Off-Site Record Storage	15,000	15,000
14 Grand Total	85,176	97,500
Rounded to nearest \$5,000		100,000
DOA Recommendation		100,000
Joint Finance Approval	\$85,200	

STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

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ASSEMBLY CHAIR
SCOTT JENSEN

315 North, State Capitol
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Phone: 264-6970

JOINT COMMITTEE ON FINANCE

April 7, 1997

Mr. Mark D. Bugher, Secretary
Department of Administration
101 East Wilson Street, 10th Floor
Madison, WI 53702

Dear Secretary Bugher:

On March 17, 1997, ss. 16.505(2) requests for the Office of District Attorneys (two requests) and s. 16.515 requests for the Department of Commerce and for the Board of Commissioners of Public Lands were submitted in a memorandum from you to us for approval by the Joint Committee on Finance.

The following requests are approved: (1) project positions for the Office of District Attorneys [5.00 project positions under s. 20.475(1)(h)]; and (2) increased expenditure authority of \$83,400 PR in 1996-97 for the Department of Commerce [s. 20.143(4)(kd)].

With regard to the requested increase in expenditure authority of \$100,000 PR for the Board of the Commissioners of Public Lands, the Committee notes the following:

The Board has requested increased expenditure authority of \$100,000 PR in 1996-97 in its general program operations appropriation to fund the costs of heating and air conditioning system repairs to its document storage room. The request consists of an \$85,000 component for the costs of the construction project and a \$15,000 component for the costs of removing and securing the documents in a separate location during the repair project. It is our understanding that the construction cost component was based on an engineering study that identified total project costs, including contingencies, of \$70,200 PR. No explanation has been provided for the need for the additional \$14,800 PR of requested construction costs.

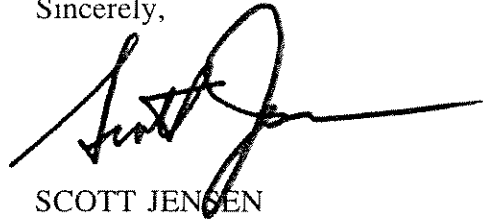
Therefore, the Committee will approve this lesser construction and contingency amount of \$70,200 PR in 1996-97 along with the \$15,000 PR in 1996-97 for storage costs, for a revised total of \$85,200 PR in 1996-97 for this project as a one-time increase in expenditure authority.

Unless you notify us by April 14, 1997, that you wish us to schedule a meeting of the Committee to consider the Board's original request, we will consider the Board's request as approved with the above stated modifications.



BRIAN BURKE
Senate Chair

Sincerely,



SCOTT JENSEN
Assembly Chair

BB/SJ/jc

cc: Members, Joint Committee on Finance
Secretary Stephanie Thorn, BCPL
Linda Nelson, DOA



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

April 1, 1997

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Section 16.515 Request from the Board of Commissioners of Public Lands for \$100,000 PR in 1996-97 to Support Documents Storage Room Repairs

On March 17, 1997, the Joint Committee on Finance received a s. 16.515 request from the Board of Commissioners of Public Lands for increased expenditure authority of \$100,000 PR in 1996-97 in its general program operations appropriation to fund the costs of heating and air conditioning system repairs to its document storage room.

The Board's request consists of \$85,000 PR for the actual construction project and \$15,000 PR for the removal and secure, climate-controlled storage of the documents during the repair project. The need for the increased expenditure authority is to remove and replace an overhead air conditioning unit in the Board's document storage room, where the original land records of the state are housed. Last spring, the existing unit malfunctioned and leaked into the storage area.

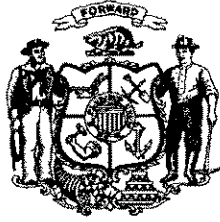
In reviewing this request, it has been determined that under its current policies, DOA's Division of Buildings and Police Services indicates that it is responsible for the costs of routine, basic repairs to an agency's assigned space in state-owned buildings. However, any repairs or modifications that are required as the result of a unique or special need of an agency occupying the assigned space must be paid for by that agency rather than by DOA as the building manager. Under this policy, the Board's climate-controlled document storage room falls under this unique or special need category, and the Board must fund the costs of any repairs or modifications to the area.

An engineering study was commissioned on behalf of the Board by DOA's Division of Facilities Development to determine a range of repair solutions and the cost of each alternative.

THE STATE OF WISCONSIN

SENATE CHAIR
BRIAN BURKE

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ASSEMBLY CHAIR
SCOTT JENSEN

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JOINT COMMITTEE ON FINANCE

MEMORANDUM:

TO: Members
Joint Finance

From: Representative Scott Jensen
Senator Brian Burke
Co-Chairs, Joint Committee on Finance

Date: March 18, 1997

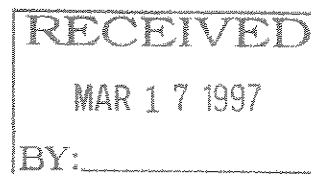
Re: s.16.515/16.505 Request

Attached is a copy of a request from the Department of Administration dated March 17, 1997 pursuant to s. 16.515/16.505(2), Stats., pertaining to requests from District Attorneys, the Department of Commerce, and the Board of Commissioners of Public Lands.

Please review these items and notify **Representative Jensen's** or **Senator Burke's** office no later than **Wednesday, April 2, 1997** if you have any concerns about the request or would like the Committee to meet formally to consider the request.

Please contact us if you need further information.

SJ:BB;jt

CORRESPONDENCE\MEMORANDUM**STATE OF WISCONSIN
Department of Administration****Date:** March 17, 1997**To:** The Honorable Brian Burke, Co-Chair
Joint Committee on FinanceThe Honorable Scott Jensen, Co-Chair
Joint Committee on Finance**From:** Mark D. Bugher, Secretary
Department of Administration**Subject:** S. 16.515/16.505(2) Requests

Enclosed are requests which have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>1995-96 AMOUNT</u>	<u>FTE</u>	<u>1996-97 AMOUNT</u>	<u>FTE</u>
DA's 20.475(1)(h)	Gifts and Grants				1.00*
DA's 20.475(1)(h)	Gifts and Grants				4.00**
COMMERCE 20.143(4)(kd)	Administrative Services			\$83,400	
BCPL 20.585(2)(hg)	Trust Lands and Investments -- General Program Operations			\$100,000	

* Extension of one year project position through January 31, 1998.

** 3.00 FTE project ADA positions recommended from April 1, 1997 to March 31, 1998 and 1.00 FTE project ADA position recommended from July 1, 1997 to June 30, 1998.

As provided in s. 16.515, this request will be approved on April 8, 1997, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about this request.

Please contact Linda Nelson at 266-3330, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

CORRESPONDENCE MEMORANDUM**STATE OF WISCONSIN**
Department of Administration**Date:** March 12, 1997**To:** Mark D. Bugher, Secretary
Department of Administration**From:** Scott Aker, Budget Analyst
State Budget Office**Subject:** Request under s. 16.505 for the extension of 1.0 FTE project assistant district attorney position in Outagamie County.**REQUEST:**

The Department of Administration, on behalf of the Outagamie County District Attorney's Office and the Lake Winnebago Area Metropolitan Drug Enforcement Group (LWAMEG), requests the extension of 1.0 FTE project (expiring January 31, 1998) assistant district attorney (ADA) position authorized under s. 20.475(1)(h), *Gifts and Grants*, in order to continue prosecuting felony drug and asset forfeiture cases.

REVENUE SOURCES FOR APPROPRIATION:

The source of revenue for the appropriation under s. 20.475 (1)(h), *Gifts and Grants*, is funds administered by the Office of Justice Assistance (OJA). See Background section for details. Of the \$331,900 available to the LWAMEG, \$42,200 is available and designated to fund this request.

BACKGROUND:

There are 26 metropolitan enforcement groups (MEGs) throughout the state that provide a coordinated, regional approach to reducing drug traffic and drug-related crime. The Lake Winnebago Area Metropolitan Enforcement Group (LWAMEG) serves the following four counties: Outagamie, Calumet, Fond du Lac and Winnebago. The MEGs are partially funded through federal grants administered by the Office of Justice Assistance; the federal funds must be matched by state (penalty assessment surcharge) and local funds. The table below illustrates the CY97 federal grant and matching fund allocation for the LWAMEG:

<u>Fund Source</u>	<u>Dollars</u>	<u>Percentage</u>
Federal	\$248,926	75%
State Match	\$ 49,765	15%
Local Match	\$ 33,191	10%
TOTAL:	\$331,902	100%

The LWAMEG entered into a contract with the Outagamie County District Attorney's Office to fund 1.0 FTE project ADA for one year, beginning June 20, 1996 (the position was requested May 15, 1996 and approved by the Joint Committee on Finance June 12, 1996). The initial year is being funded with federal asset forfeiture funds obtained by the LWAMEG during law enforcement actions against drug traffickers. This position prosecutes felony drug cases in all four counties of the MEG, but is located in and supervised by the Outagamie County District Attorney's Office because the district attorneys from all four counties agreed that this office has the best physical space and support services to accommodate the position. The position serves the other three counties through appointments as a special prosecutor *without additional state compensation*.

This request is to extend the position for seven months (ending January 31, 1998). Federal asset forfeiture funds only may be used for the first year - the extension would be funded with LWAMEG monies administered by OJA. The Office of Justice Assistance is aware of this request and supports the use of these monies for this time period and purpose.

The Outagamie County district attorney's office currently has 7 FTE (including the elected district attorney). Calumet, Fond du Lac and Winnebago counties have a total of 15 FTE (including the elected district attorneys). All are funded with GPR.

ANALYSIS:

The LWAMEG and Outagamie County are requesting an extension of 1.0 project ADA to address a significant increase in drug-related cases. As illustrated in the following table, the number of felony drug arrests within the Lake Winnebago Area Task Force has risen dramatically since 1991 (final data for 1996 are not yet available):

<u>Year</u>	<u>Felony Drug Arrest</u>	<u>% Increase Over Previous Year</u>
1991	305	--
1992	367	20.3%
1993	635	73.2%
1994	955	50.4%
1995	1,106	15.8%

This increase may be linked to many economic and social forces, as well as an increase in the number of law enforcement officers battling drug trafficking in the Lake Winnebago area. Regardless of the cause, it is appropriate to extend the 1.0 FTE ADA project position for seven months to ensure that drug cases are prosecuted efficiently and effectively.

While OJA-administered funds will pay for the position, Outagamie County will be required to reimburse the state through agency 475 (District Attorneys) because ADAs are state employees. Approval of this request will require additional expenditure authority in s. 20.475(1)(h) of \$42,200 PRO in FY98. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required only for the position authorization.

In its June 12, 1996 approval letter to former Secretary Klauser, the Joint Committee on Finance noted four concerns with approving additional ADA positions outside the context of the weighted caseload methodology recommended by the Legislative Audit Bureau. Specifically, the committee requested: 1) an explanation of the effect of the positions on weighted caseload for the requesting counties; 2) an assessment of similar caseload problems in counties not addressed in the request; 3) an explanation of why the request has greater priority than similar needs in other counties; 4) why this type of caseload has greater priority than other types.

The project position initially approved is included in Outagamie County's current FTE count. Therefore, the weighted caseload and need for ADA positions would not be affected by this request. Drug crime prosecution has received strong federal and state support -- allocation decisions focus on drug-related activity and not how an additional position may impact other workload. All counties face some level of drug prosecution need, and all counties are aware of the monies available through OJA. Counties submit grant requests; the Governor's Law Enforcement and Crime Commission determines the areas of greatest need and distributes the money accordingly. Drug-related caseload receives greater priority because significant federal and matching state funding is available.

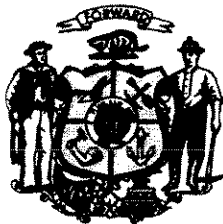
Task forces craft their budgets in September of each year, the Governor's Law Enforcement and Crime Commission makes allocation recommendations in November, and the Governor grants awards in December. Position authority through January 31, 1998 is recommended in case of delays in the decision-making process. This will assure continuity of the position should the LWAMEG, the Governor's Commission and the Governor agree to continue the position into CY98 (in this event, DOA will submit another s.16.505 request for position authority at that time).

RECOMMENDATION:

Approve the request to extend 1.0 FTE project assistant district attorney position (June 22, 1997, to January 31, 1998), to be paid for by the Lake Winnebago Area Metropolitan Enforcement Group with OJA-administered funds. This approval does not constitute the commitment of current or future GPR funding for this position. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7869
Madison, WI 53707-7869

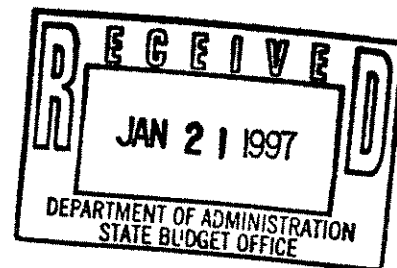
CC CA
SA

DATE: January 15, 1997

TO: Rick Chandler, Administrator
Division of Executive Budget and Finance

FROM: Charles E. McDowell, Administrator
Division of Administrative Services

SUBJECT: **REQUEST UNDER S. 16.505 FOR DEPARTMENT 475:
OUTAGAMIE DISTRICT ATTORNEY'S OFFICE**



On behalf of the Outagamie County District Attorney's Office, I submit the attached request for PR position authority for Department 475, District Attorneys.

If you have any questions, please direct them to Stuart Morse, Director, State Prosecutors Office (7-2700) or to Paul McMahon, Director of the Bureau of Financial Management (6-1359).

Thank you for your attention to this matter.

Attachments

cc: Stuart Morse
Paul McMahon

DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505 FOR POSITION AND EXPENDITURE AUTHORIZATION

I. REQUEST

The Department of Administration requests under s. 16.505 the authorization of 1.0 FTE PR prosecutorial position in appropriation 20.475(1)(h) for the Outagamie County District Attorney's (DA) Office.

II. BACKGROUND

On December 19, 1996, the Lake Winnebago Area Metropolitan Drug Enforcement Group (LWAMDEG), on behalf of the Outagamie DA Office, was awarded a grant by the Governor sufficient to fund one additional full-time assistant district attorney (ADA) position (1.0 FTE) for the period from June 22, 1997 through December 31, 1997 and \$42,266 to fund it. The Governor's decision follows the recommendation of his Law Enforcement and Crime Commission. The funds are provided via the Office of Justice Assistance (OJA). OJA is seeking, in effect, to continue a one year 1.0 FTE PR ADA position created in Outagamie county by s.16.505 action in the spring of 1996 using drug forfeiture funds in the position of the Lake Winnebago Area Metropolitan Drug Enforcement Group (LWAMDEG). The forfeiture funds may not be used to support a position for more than one year. The position is located in the Outagamie County District Attorney's office but does drug prosecution in all four counties that are in the LWAMDEG. The Outagamie District Attorney seeks to start the new position on June 22, 1997 so as to have continuity for the incumbent in the one year forfeiture funded position.

III. ANALYSIS

This position is in furtherance of the State's policy to fight drug crime. The Governor's Law Enforcement and Crime Commission recommended to the Governor that this new position be funded and the Governor approved that recommendation. The funding is from federal anti-drug funds for the purpose of supporting "multi-jurisdictional task force programs that integrate Federal, State and/or local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations."

IV. FISCAL ANALYSIS

The funds allocated for the position are based upon salary and fringe benefit costs of the ADA who is in the forfeiture funded position. The grant totals \$42,266.

V. REVENUE SOURCE FOR APPROPRIATION

The source of grant funds is s.20.505(6)(pb) which is provided by the federal government to OJA for use in developing anti-drug crime mechanisms including the funding of prosecutorial staff. The funds are awarded to the LWAMDEG whose fiscal agent is Winnebago County. The LWAMDEG will reimburse salary and fringe benefit costs for the state paid ADA position in the Department of District Attorneys.

VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a June 12, 1996 letter to then Department of Administration Secretary James R. Klauser, set forth four additional items of information that should be included in any s. 16.505 request for additional positions in the DA program.

- 1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

DOA carried out the analysis recommended by the LAB and used it as a part of the Governor's overall analysis of the 1997-99 DA budget request. Table 1 indicates the LAB methodology's results using the average of the most current three years of State Court filing data available at this time, 1993-1995. As the new position would simply replace the current forfeiture funded position when its authorization ends in June 1997, there is no change in the current results obtained from the methodology. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to any particular type of criminal activity or caseload such as the drug based crime covered by the OJA funding.

- 2) *An assessment of similar caseload problems in counties not addressed by the request.*

The Governor's Law Enforcement and Crime Commission is charged with considering all state anti-drug crime options and need in the light of the actual funding requests it receives in the process of developing its recommendation to the Governor. Neither the Department of Administration nor the Department of District Attorneys has any authority to reallocate the Governor's grant based upon its own independent need analysis.

- 3) *An explanation of why the request has greater priority than similar needs existing in other counties.*

All 71 DA offices and other law enforcement entities were notified of the availability of the OJA anti-drug grant funds and invited to apply. The Governor's Law Enforcement and Crime Commission review all grant requests and recommended that this position be funded and the Governor concurred.

- 4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

The OJA funds may not be used to address other types of caseloads. The fact that the federal government specifically created the anti-drug crime program is an indication of the high national priority this activity is given.

**Table 1: ANALYSIS OF DA OFFICE CASELOAD NEEDS USING
1993-95 STATE COURT DATA**

01/13/97 3:27 PM

FTE needed per LAB
methodology

DA Office	# FTE needed
Adams	0.23
Ashland	0.25
Barron	-0.68
Bayfield	-0.12
Brown	1.97
Buffalo	-0.21
Burnett	0.24
Calumet	-0.30
Chippewa	0.74
Clark	-0.11
Columbia	0.28
Crawford	-0.33
Dane	5.55
Dodge	-0.68
Door	-0.21
Douglas	-0.22
Dunn	-0.76
Eau Claire	3.05
Florence	-0.15
Fond du Lac	0.61
Forest	0.23
Grant	0.53
Green	-0.40
Green Lake	0.13
Iowa	-0.76
Iron	-0.63
Jackson	-0.95
Jefferson	0.86
Juneau	-0.11
Kenosha	-0.48
Kewaunee	-0.65
La Crosse	2.49
Lafayette	-0.66
Langlade	0.15
Lincoln	-0.20
Manitowoc	2.10
Marathon	1.75
Marinette	0.67
Marquette	-0.04
Milwaukee	15.33
Monroe	1.07
Oconto	0.03
Oneida	0.26
Outagamie	0.96
Ozaukee	0.06
Pepin	-0.32
Pierce	-1.57
Polk	0.02
Portage	-0.77
Price	-0.24
Racine	6.21
Richland	-0.60
Rock	3.77
Rusk	-0.58
Saint Croix	-2.81
Sauk	0.46
Sawyer	1.18

**Table 1: ANALYSIS OF DA OFFICE CASELOAD NEEDS USING
1993-95 STATE COURT DATA**

01/13/97 3:27 PM

FTE needed per LAB
methodology

DA Office	# FTE needed
Shaw/Men	0.33
Sheboygan	0.34
Taylor	-0.06
Trempealeau	-0.34
Vernon	-1.28
Vilas	-0.52
Walworth	-0.38
Washburn	0.15
Washington	-0.18
Waukesha	-6.12
Waupaca	-0.56
Waushara	-0.26
Winnebago	3.00
Wood	0.05

CORRESPONDENCE\MEMORANDUM

STATE OF WISCONSIN
Department of Administration

Date: March 12, 1997

To: Mark D. Bugher, Secretary
Department of Administration

From: Scott Aker, Budget Analyst
State Budget Office

Subject: Request under s. 16.505 for 4.0 FTE project assistant district attorney (ADA) positions to prosecute crimes against women.

REQUEST:

The Department of Administration, on behalf of the Dane, Kenosha and Milwaukee county district attorneys offices, requests approval of 4.0 FTE project assistant district attorney (ADA) positions authorized under s. 20.475(1)(h), *Gifts and Grants*, in order to prosecute crimes against women. The request is for 2.0 FTE assistant district attorney (ADA) project positions in Dane County, 1.0 FTE ADA in Kenosha County, and 1.0 FTE ADA in Milwaukee County.

For Dane and Milwaukee counties, position authority is requested from April 1, 1997 to March 31, 1998; for Kenosha County, position authority is requested from July 1, 1997 to June 30, 1998.

REVENUE SOURCES FOR APPROPRIATION:

The source of revenue for the appropriation under s. 20.475 (1)(h), *Gifts and Grants*, is federal funds awarded under the Violence Against Women Act (VAWA) and administered by the Office of Justice Assistance (OJA).

BACKGROUND:

Wisconsin received a federal VAWA grant of approximately \$2.2 million for federal fiscal year 1996. The money is targeted to help states develop effective law enforcement and prosecution strategies to combat violent crimes against women and strengthen victim services. Federal law requires that 25% of the state grant be allocated for prosecutorial services.

On December 18, 1996 Governor Thompson awarded VAWA grants to Dane, Kenosha, Milwaukee and Waukesha counties. The awards were granted based on the recommendations of the Governor's Law Enforcement and Crime Commission (Commission). The grant to Waukesha County does not include resources for prosecutorial services and is not a part of this request.

ANALYSIS:

All 72 Wisconsin counties were notified regarding the availability of VAWA funds. Every county which applied received a portion of the funds and only Dane, Kenosha and Milwaukee counties included ADA positions in their grant request. Dane County requests \$136,700 for one experienced ADA and one entry-level ADA; Kenosha County requests \$95,500 for one experienced ADA; and Milwaukee County requests \$62,900 for one experienced ADA. Determinations regarding resources necessary to hire an experienced attorney were made locally.

Domestic abuse and other violent crimes against women are a growing concern throughout Wisconsin and the nation. Focused federally-funded pilot projects to develop strategies to combat crimes against women provide seed money to establish programs in other Wisconsin communities. The four project positions will be 100% federally funded.

While federal funds will pay for the positions, the counties will be required to reimburse the state through agency 475 (District Attorneys) because ADAs are state employees. Approval of this request will require total additional expenditure authority in s. 20.475(1)(h) of \$295,100 PRO in FY97 and FY98. The exact amounts for each fiscal year will be determined through the DOA allotment process. Since this is a continuing appropriation, approval of the Joint Committee on Finance is required only for the position authorization.

In its June 12, 1996 approval letter to former Secretary Klauser, the Joint Committee on Finance noted four concerns with approving additional ADA positions outside the context of the weighted caseload methodology recommended by the Legislative Audit Bureau. Specifically, the committee requested: 1) an explanation of the effect of the positions on weighted caseload for the requesting counties; 2) an assessment of similar caseload problems in counties not addressed in the request; 3) an explanation of why the request has greater priority than similar needs in other counties; 4) why this type of caseload has greater priority than other types.

Focused federally funded prosecution efforts may have an impact on the counties' general weighted caseload, but to reduce the caseload weights in light of this project would be short-sighted. The experience gained in these counties may be applicable in many counties. The result could be efficiencies which reduce the time necessary to prosecute crimes against women, therefore a reduction in weighted caseload for many counties. Also, it is important to remember that all counties were given an opportunity to submit grant requests and every county which submitted a request received funds.

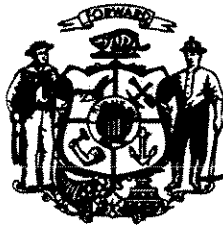
RECOMMENDATION:

Approve the request for 2.0 FTE ADA project positions in Dane County, 1.0 FTE ADA project position in Milwaukee County (April 1, 1997 to March 31, 1998), and 1.0 FTE ADA project position in Kenosha County (July 1, 1997 to June 30, 1998). This approval does not constitute the commitment of current or future GPR funding for these positions. Such approval can only be obtained through the biennial budget process.

STATE OF WISCONSIN

DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR
MARK D. BUGHER
SECRETARY



Mailing Address:
Post Office Box 7869
Madison, WI 53707-7869

STATE PROSECUTORS OFFICE

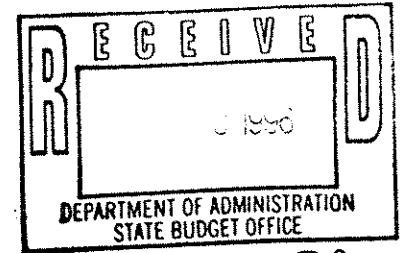
MEMORANDUM/CORRESPONDENCE

Telephone No.: (608) 267-2700—E-Mail Address: morses@mail.state.wi.us—Fax No.: (608) 264-9500

DATE: February 22, 1997

TO: Rick Chandler, Administrator
Division of Executive Budget and Finance

FROM: Charles E. McDowell, Administrator
Division of Administrative Services



CC CA

SUBJECT: **REQUEST UNDER S. 16.505 FOR DEPARTMENT 475: DANE,
KENOSHA AND MILWAUKEE DISTRICT ATTORNEYS' OFFICES**

On behalf of the Dane, Kenosha and Milwaukee County District Attorneys' Offices, I submit the attached requests for PR position authority for Department 475, District Attorneys.

If you have any questions, please direct them to Stuart Morse, Director, State Prosecutors Office (7-2700) or to Paul McMahon, Director of the Bureau of Financial Management (6-1359).

Thank you for your attention to this matter.

Attachments

cc: Stuart Morse
Paul McMahon

I. REQUEST

The Department of Administration requests, under s.16.505, the authorization of 4.0 FTE PR prosecutorial positions in appropriation s.20.475(1)(h). These positions will be located in three district attorney offices: 2.0 FTE in Dane County, 1.0 FTE in Kenosha County and 1.0 FTE in Milwaukee County. Authorization is requested from the date the s.16.505 process is completed through March 31, 1998 for the positions in the Dane and Milwaukee District Attorneys' Offices and through June 30, 1998 for the position in the Kenosha District Attorney's Office.

II. BACKGROUND

Wisconsin was awarded a federal Violence Against Women Act (VAWA) grant of approximately \$2.157 million for federal fiscal year (FFY) 1996. Wisconsin VAWA grants are administered by the Office of Justice Assistance (OJA). This is the second year in which the state received a federal award. However, none of the FFY 1995 VAWA grant funds was used for additional prosecutorial positions. The purpose of this federal program is to assist states in the development and enhancement of effective law enforcement and prosecution strategies to combat violent crimes against women and to develop and strengthen victim services. By federal law, 25 percent of the state grant must be spent on prosecution related services. On December 18, 1996, Governor Thompson awarded VAWA grants to the four counties: Dane, Kenosha, Milwaukee and Waukesha.

The grants to Dane and Milwaukee Counties are to fund assistant district attorney (ADA) positions from April 1, 1997 through March 31, 1998. The grant to Kenosha county is for the same purpose for the period from July 1, 1997 through June 30, 1998. The grant to Waukesha county does not include state prosecutorial positions or state paid expenses and thus is not part of this s.16.505 request. The Governor's grant award decisions follow the recommendations of his Law Enforcement and Crime Commission.

III. ANALYSIS

These positions are in furtherance of the State's policy to fight domestic abuse, sexual abuse and assault and other violent crimes against women. The salary and fringe benefit costs of the experienced ADA position in Kenosha are estimated based upon the actual anticipated costs of a specific ADA who has been selected by the DA to carryout the VAWA assignment. The experienced Dane and Milwaukee ADAs' costs are based upon estimates, given each DA's analysis of the cost of a prosecutor with the needed level of experience for the work that office will assign. The entry level ADA position in Dane County reflects the actual cost of an ADA position at the minimum. The Kenosha VAWA grant only covers the new ADA that will be hired. The Dane and Milwaukee grants include funds to cover both ADA costs and costs that remain a county responsibility.

1) Grant the Dane County DA Office \$136,666 to create 2.0 FTE PR VAWA positions. One position will be filled by an experienced prosecutor and one will be filled at the entry level and will be directed by the experienced prosecutor.

2) Grant the Kenosha County DA Office \$95,500 to create 1.0 FTE PR VAWA position. The position will be filled by an experienced prosecutor.

3) Grant the Milwaukee County DA Office \$62,900 to create 1.0 FTE PR VAWA positions. The position will be filled by an experienced prosecutor.

V. REVENUE SOURCE FOR APPROPRIATION

The sources of grant funds are s.20.505(6)(g), which is developed locally, and s.20.505(6)(pc) which is provided by the federal government to OJA for use in developing anti-violence against women crime efforts including the funding of prosecutorial staff. The funds are awarded to the three counties. The counties will reimburse salary and fringe benefit costs for the state paid ADA positions in the Department of District Attorneys.

VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a letter to Department of Administration Secretary James R. Klauser dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the DA program.

1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

DOA carried out the analysis recommended by the LAB and used it as a part of the Governor's overall analysis of the 1997-99 DA budget request. Table 1 indicates the LAB methodology's results and highlights the impact of the four positions requested on the three DA offices involved. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to a particular type of criminal activity or caseload such as that covered by the VAWA.

2) *An assessment of similar caseload problems in counties not addressed by the request.*

Detailed data on violence against women with which to make such an analysis are not available.

3) *An explanation of why the request has greater priority than similar needs existing in other counties.*


All 71 DA offices were notified of the availability of the VAWA grant funds and invited to apply. Only four DA offices applied for the funds and all four grant requests were approved by the Governor.

4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

The VAWA funds may not be used to address other types of caseloads. The fact that the federal government specifically created the VAWA and included the 25% prosecution funding requirement is an indication of the high national priority this activity is given.

Date: March 7, 1997

To: Mark D. Bugher
Secretary

From: Jacqueline Jugenheimer
Budget and Policy Analyst 

Subject: Section 16.515 (1) Request from the Department of Commerce for \$83,400 PR-S in Additional Expenditure Authority.

REQUEST

The Department of Commerce (Commerce) is requesting an increase of expenditure authority of \$83,400 PR-S in appropriation s. 20.143 (4)(kd) - Administrative Services to fund one-time and ongoing computer expenses. Approval of the request is recommended.

REVENUE SOURCES FOR APPROPRIATION(S)

Section 20.143 (4) (kd) is a revenue-service appropriation and is used to fund non-GPR overhead costs. Revenues are collected from non-GPR accounts throughout the agency to allocate administrative expenses adequately.

BACKGROUND

1995 Wisconsin Act 27 transferred the Division of Safety and Buildings from the Department of Industry, Labor and Human Relations to the Department of Commerce, increasing Commerce's staff complement from 121 FTE positions to 453 FTE positions. Department staff is located in two buildings downtown and in several regional offices. Furthermore, the department is moving from a mainframe to a server environment to comply with state computer standards. In this time of transition, the department has reexamined the supplies and services budget needs for the information technology (IT) staff and related functions. The department has identified additional one-time and ongoing expenditure needs, which are summarized in the following table:

	<u>FY97</u>	<u>FY98</u>
One-time	\$ 51,500	\$ 0
Ongoing	<u>\$ 31,900</u>	<u>\$31,900</u>
Total	\$ 83,400	\$31,900

ANALYSIS

The department has additional hardware, software, and training needs related to the creation of a larger agency and moving from a mainframe-based to server-based computer system. Specifically, the department has identified one-time training needs for IT staff of \$51,500. Training would be provided in the following areas:

- Powerbuilder server software
- Visual Basic programming software
- NT system administration and work station administration
- Windows 95 technology
- LAN and WAN training
- Internet technology and security
- Advanced PC trouble shooting
- Microsoft Professional Office Suite
- Microsoft Exchange User

In the past, the department did not have an established training budget for its staff. The new server environment and rapid changes in information technology necessitate more training for IT staff to provide adequate services to program staff and to comply with state standards. The one-time transition training, particularly powerbuilder, visual basics and NT system administration, is needed to train staff on hardware and software for the new server-based environment. In addition, the department hired a number of new staff in the last few months who need additional training.

The department calculates that an additional \$1,500 per year per IT staff is needed to stay current with new IT hardware and software technology developments. Of the \$39,000 training budget, \$7,100 will be supported by the department's GPR general operations appropriation (s. 20.143 (4)(a)) and the remaining \$31,900 PR-S is reflected in this request.

The department has a supplies and services budget of \$286,900 PR-S in appropriation s. 20.143 (4) (kd), which is used by the Office of the Secretary and the bureaus in the Division of Administrative Services, which includes the information technology section.

Office of the Secretary:	\$ 13,000
Information Technology:	\$ 96,300
Division of Administrative Services (excl. IT):	<u>\$177,600</u>
Total:	\$286,900

The current supplies and services budget is fully allocated and no means exist to cover the IT staff's training needs. In the current year, budgeted IT expenditures include workstation upgrades, central system hardware items, central system software maintenance, DOA mainframe processing fees, and consultant fees. If the training is not provided, IT staff will not be able to adequately serve the department. The agency

has not made any commitments for training sessions because no additional expenditure authority has been approved.

Revenues collected from agency non-GPR appropriations are sufficient to cover the additional revenue needs and sufficient expenditure authority exists in the respective appropriations.

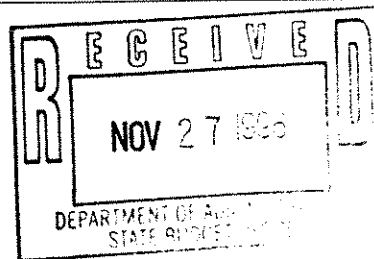
RECOMMENDATION

Approve the request.



123 West Washington Avenue
P.O. Box 7970
Madison, Wisconsin 53707
(608) 266-1018

Tommy G. Thompson, Governor
William J. McCoshen, Secretary



CC DS
DS

To: James R. Klauser, Secretary
Department of Administration

From: William J. McCoshen, Secretary
Department of Commerce

WJM

Re: S. 16.515 Request

Date: November 26, 1996

REQUEST

The Department of Commerce requests increased spending authority in the § 20.143 (4) (k) appropriation of \$83,400 PRS in FY97. \$51,500 of this spending authority is a one-time need for training for the Department's information technology staff, and \$31,900 is an ongoing need for increased information technology supplies and services associated with the merger into the new Department of Commerce.

FUNDING

The § 20.143 (4) (k) appropriation is a program revenue-service appropriation which is funded through overhead cost allocation charges to the Department's non-GPR appropriations. Before the merger into the new Department of Commerce, the old Department of Development was primarily a GPR-funded agency. Since the merger, however, the majority of the Department's programs are non-GPR funded. The program revenue-service appropriation and the overhead charge spread administrative costs out fairly across the non-GPR appropriations.

BACKGROUND

On July 1, 1996, the Department of Development became the Department of Commerce, and grew from an agency of 121 FTE positions to an agency of 455 FTE positions. In this transition year, the Department is moving from an old centralized mainframe/mini-computer architecture to a client-server based architecture in accordance with state standards. During this fiscal year, the Department has employees in Madison in both the Loraine and GEF 1 locations, and elsewhere in

offices throughout the state. The statewide presence of the Department, while it greatly increases the quality of customer service, does present a challenging environment for the use of information technology. To service the larger agency, the Bureau of Information Technology Services grew from 9.25 FTE positions to 23.5 FTE positions. In the time since the merger was initially ordered in 1995 Wisconsin Act ~~16~~²³, the Department has had a chance to examine the information technology needs of the agency, and has used that assessment to develop a supplies and services budget for the Bureau of Information Technology Services. The Department's request is for additional PRS spending authority only; the information technology budget was developed with the objective of staying within the existing spending authority of the appropriations which pay the overhead charges.

A spreadsheet is attached which shows the FY97 supplies and services budget for the Bureau of Information Technology Services. Budget items are broken down into three categories: those which are in the cost pool, those which are paid for directly by the Division of Safety and Buildings, and those which directly benefit the Department's programs located in the Loraine Building. Only items which are agency-wide in nature are assigned to the cost pool from which the overhead rate is determined.

CORRESPONDENCE MEMORANDUM**STATE OF WISCONSIN
Department of Administration**

Date: March 7, 1997

To: Mark D Bugher, Secretary
Department of Administration

From: Michelle New *mnw*
State Budget Office

Subject: Request Under s. 16.515 from the Board of Commissioners of Public Lands to provide funding for repairs necessary to ensure preservation of Wisconsin's original land records.

REQUEST:

The Board of Commissioners of Public Lands (BCPL) requests increased expenditure authority of \$100,000 PR in FY97. This funding has been requested for repairs to the air conditioning system in the climate-controlled room which houses the state's original land records.

REVENUE SOURCES FOR APPROPRIATION(S):

This request would be funded from s. 20.585 (2)(hg), Trust Lands and Investments--general program operations, which is provided under s. 24.04, 24.53 and 24.62(1). The operating expenses of the Board are funded from a portion of the interest earnings on the common school fund.

BACKGROUND:

The Board of Commissioners of Public Lands is required under § 24.54 to hold, preserve, and provide the public with access to Wisconsin's original land documents. In April of 1996, the overhead air conditioner malfunctioned and water flooded into the temperature-controlled room necessary for the preservation and storage of the state's land records. Although the problem was discovered in time to prevent extensive permanent damage, without repair, there is no guarantee that a similar system failure won't devastate these records in the near future. Following an examination of the Board's air conditioning system, DOA Division of Buildings and Police Services concluded that as presently constructed, the system *will* fail again. The BCPL records room is located in the western corner of the GEF-3 state office building on Webster Street, in Madison.

Subsequent to the water damage, DOA commissioned an independent study to examine and identify the environmental shortcomings in the room used to store these documents. Jaspal Engineering Services, Inc. (JES) was asked to provide design services for the replacement of the ceiling air conditioning unit based on DOA's recommendation that the current system did not provide the environment necessary to properly store historical documents. Jaspal submitted their final report in November of 1996, which was too late for the Board to include a request for funding as part of their biennial budget request. As the conditions in the room where these documents are stored is clearly inadequate, a decision on funding for this project can not be deferred until the following biennium. The board currently does not have sufficient expenditure authority to undertake this project.

Mark D. Bugher, Secretary

3/7/97

Page 2

ANALYSIS:

"JES, in conjunction with DOA, made a visit to this room and determined that many conditions contribute to the inadequate environment in this room, in addition to the operation of the current air conditioning unit" (JES Engineering Report, page 2). In their final written report, JES made several classifications of recommendations. Both the BCPL, along with DOA Division of Buildings and Police Services, have chosen to follow-up on those recommendations most pressing to the environmental safety of the room as a documents preservation center.

Aside from general construction costs, the remainder of the requested funds would be used for improvements as outlined in the JES engineering report. These modifications include; installation of a floor-based HVAC system; enhanced fire detection and protection mechanisms; and modifications to the plumbing system. Additionally, funds would be necessary to provide for the temporary removal and storage of all land records while the construction was in progress.

RECOMMENDATION:

Approve the request for emergency funding. These original land documents are both an irreplaceable and invaluable historical asset to the entire state. These official records are consulted frequently by both individuals and businesses in Wisconsin, and serve as resolving evidence in land-boundary disputes. If this cooling system is left unrepaired, it is quite possible that the next system malfunction may destroy these records, losing them for future generations.

cc SK
mm



Douglas La Follette
Secretary of State

Jack C. Voight
State Treasurer

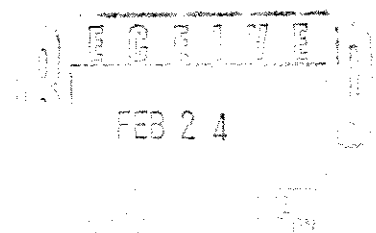
James E. Doyle
Attorney General

Stephanie W. Thorn
Secretary

Public Lands (608) 266-1370 Loans (608) 266-0034 Fax (608) 267-2787

February 21, 1997

Mark D. Bugher, Secretary
Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53702



Dear Secretary Bugher:

The Board of Commissioners of Public Lands is required by statute to hold, preserve, and provide access to Wisconsin's original land records. Among these records are such collections as the original field surveyor notebooks, land patents, and plat maps for each township in the state. The records are located in the state office building known as GEF III at 125 South Webster Street in a temperature and humidity controlled room. Unfortunately, the construction of the building has put the land records at risk and in 1996 an emergency occurred which could have damaged or destroyed some or all of the records. Specifically, the room's overhead air conditioning unit began leaking. Water not only leaked directly from the unit, but trailed across ceiling tiles and leaked onto records in other parts of the room. Fortunately, this occurrence was discovered in time to prevent permanent damage, but it became clear that alterations, including the installation of a floor-based HVAC system, were mandatory.

After ascertaining that there were no plans to move the agency and that no state facilities currently exist which would provide the requirements necessary for proper storage and access to these irreplaceable land records, an engineering study was commissioned by the agency in collaboration with the Department of Administration to ascertain what modifications were necessary. The results of the study were not received until after submission of the 1997-99 Biennial Budget Request. But it would be irresponsible to delay the modifications until the following biennium. In fact, now that it is known what modifications are needed and that they are possible to make, this work should begin as soon as possible.

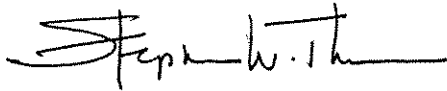
Because the agency's initial allotment amount is insufficient to accomplish this work and because a genuine emergency exists and because the Board has a statutory responsibility to care for and provide access to these records (s. 24.54 (1) and (2)), this 16.515 request is made for a one-time increase in expenditure authority of \$100,000 (\$85,000 for construction alterations and the purchase of a HVAC system, and \$15,000 for temporary storage of the records during construction).

Page 2
Secretary Mark Bugher
February 21, 1997

Revenue Sources for Appropriation – Per s. 20.585 (2)(hg) the Board of Commissioners of Public Lands, a program revenue agency, derives its operating funds from the investment earnings of the four Trust Funds it manages, the largest of which are the Common School Trust Fund and the Normal School Trust Fund. Including this 16.515 request, agency operating costs are less than 5% of its earnings, which are distributed each year to K-12 public schools for library aids and to the University of Wisconsin System.

Approval of this 16.515 Request is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie W. Thorn". The signature is fluid and cursive, with the first name being the most prominent.

Stephanie W. Thorn, Secretary
Board of Commissioners of Public Lands
Trust Lands and Investments